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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,377	11/10/2003	Jackson Hsieh	2011142	4339
7590 08/08/2005				
PRO-TECHTOR INTERNATIONAL 20775 Norada Court Saratoga, CA 95070-3018			EXAMINER ROSE, KIESHA L	
			ART UNIT 2822	PAPER NUMBER
DATE MAILED: 08/08/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/705,377

Applicant(s)

HSIEH ET AL.

Examiner

Kiesha L. Rose

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to the amendment filed 23 May 2005.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

Fig. 1, #'s 24, 34 and 36

Fig. 2, #'s 59 and 66

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: Claim 2 discloses the encapsulant made of **industrial plastic material and encapsulant and frame layer integrally formed**, this limitation is not disclosed in the specifications.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent; except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 4, as far as understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Applicant's Prior Art (Figure 1).

Applicant's Prior Art discloses an image sensor package (Fig. 1) that comprises a plurality of lower metal sheets (10) arranged in an array, each of the lower metal sheets having an upper surface (26) and a lower surface (28), a first hole, a plurality of upper metal sheets (12) arranged in an array, each of the upper metal sheets having an upper surface (38) and a lower surface (40), and a second hole penetrated from the upper surface to the lower surface, and the second hole being corresponded with the first hole of the lower metal sheets, the lower surface of the upper metal sheets being stacked on

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the lower metal, an encapsulant (14) for encapsulating the lower metal sheets and the upper metal sheets and the encapsulant filled into the first hole and second hole to tighten the upper metal sheets and the lower metal sheets, wherein the upper surfaces of the lower metal sheets are exposed from the encapsulant, the lower surfaces of the lower metal sheets are exposed from the encapsulant and electrically connected to the printed circuit board (32), and the encapsulant is formed with a frame layer (16) around the upper surfaces of the upper metal sheets to define a chamber (42) together with the upper metal sheets, a photosensitive chip (18) being arranged within the chamber; a plurality of wires (20) for electrically connecting the photosensitive chip to the upper surfaces of the upper metal sheets and a transparent layer (22) arranged on the frame layer of the encapsulant to cover the photosensitive chip.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Prior Art in view of Mahulikar (U.S. Patent 5,098,86).

Applicant's Prior Art discloses all the limitations except for the transparent layer to be transparent glass and for the encapsulant and frame integrally formed.

Whereas Mahulikar discloses a pin grid array (Fig. 2) that contains a chip (32), a base component (12) with a frame (38) and encapsulant (16) formed of plastic, which are integrally formed and a transparent layer (36) formed of transparent glass. The transparent layer is formed of transparent glass to better bonding to the frame. (Column 5, lines 40-47) Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Applicant's Prior Art by incorporating the transparent layer formed of transparent glass for better bonding to the frame as taught by Mahulikar. In regards to the frame and encapsulant being integrally formed, "Integral" is sufficiently broad to embrace constructions united by such means as fastening and welding. In re Hotte 177 USPQ 326. (1973)

Response to Arguments

Applicant's arguments filed 23 May 2005 have been fully considered but they are not persuasive. Applicant argues that the Applicant's Prior Art does not disclose that the lower metal sheets are formed with a first hole and upper metal sheets are formed with second metal sheets and an encapsulant is filled into the first hole and second hole, this is erroneous as can be seen in Fig. 1 which discloses a lower metal sheet (10) and an upper metal sheet (12) where there is a first hole which is between the two lower metal sheets and a second hole which is formed between the two upper metal sheets and an encapsulant (14) formed therebetween that fills the first and second hole. Therefore the Applicant's Prior Art (Fig. 1) does disclose the claimed invention therefore the rejection stands.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiesha L. Rose whose telephone number is 571-272-1844. The examiner can normally be reached on M-F 8:30-6:00 off 2nd Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amir Zarabian can be reached on 571-272-1852. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Primary Examiner
Act SPE